CCRB INVESTIGATIVE RECOMMENDATION

Investigator:		Team:	CCRB Case #:	☐ Force	☐ Discourt.	☐ U.S.
Aliza Klingenstein		Squad #7	202102959	Abuse	O.L.	☐ Injury
Incident Date(s)		Location of Incident:	•	Precinct:	18 Mo. SOL	EO SOL
Thursday, 05/06/2021 1:45 PM				111	11/6/2022	11/6/2022
Date/Time CV Reported		CV Reported At:	How CV Reported	: Date/Tin	ne Received at CC	RB
Thu, 05/06/2021 1:46 PM		IAB	Phone	Mon, 05	/17/2021 10:41 A	Л
Complainant/Victim	Type	Home Addre	ess			
Subject Officer(s)	Shield	TaxID	Command			
1. POF Sharna Durham	05647	934806	111 PCT			
2. POF Kristen Aydiner	03908	930597	111 PCT			
Officer(s)	Allegation				vestigator Recor	nmendation
A.POF Sharna Durham	Abuse: Police Officer Sharna Durham refused to provide her name to §87(2)(b)					
B.POF Sharna Durham	Abuse: Police Officer Sharna Durham refused to provide her shield number to \$87(2)(b)					
C.POF Sharna Durham	Abuse: Police Officer Sharna Durham failed to provide with a business card.					
D.POF Kristen Aydiner	Abuse: Police Officer Kristen Aydiner refused to provide her name to \$87(2)(b)					
E.POF Kristen Aydiner	Abuse: Police Officer Kristen Aydiner refused to provide her shield number to \$87(2)(b)					
F.POF Kristen Aydiner	Abuse: Police Officer Kristen Aydiner failed to provide					

Case Summary

On May 06, 2021, § 87(2)(b) called the IAB Command Center and filed the following complaint. It was received at the CCRB on May 17, 2021. On May 06, 2021, at approximately 1:45 p.m. at 251st Street and 61st Avenue outside of Challenge Playground in Queens, \$87(2)(b) approached the vehicle of Police Officer Sharna Durham and Police Officer Kristen Aydiner, both of the 111th Precinct, and complained to officers about children riding motorized bikes in the playground and the officers' lack of response. PO Durham began to drive away, and § 87(2)(b) physically obstructed the officers' vehicle from allegedly stated that he wanted both officers' names, shield numbers, and business cards (Allegations A-F: Abuse of Authority, \$37(2)(9). PO Durham drove the vehicle in reverse and the officers left the scene. There is no video evidence in this case, as this incident does not fall within the list of events that require mandatory activation of BWC according to Patrol Guide Procedure 212-123 (Board **Review 01**), and no other recordings were taken. **Findings and Recommendations** Allegation (A) Abuse of Authority: Police Officer Sharna Durham refused to provide her name to § 87(2)(b) Allegation (B) Abuse of Authority: Police Officer Sharna Durham refused to provide her shield number to \$87(2)(b) Allegation (C) Abuse of Authority: Police Officer Sharna Durham failed to provide §87(2)(b) with a business card. Allegation (D) Abuse of Authority: Police Officer Kristen Aydiner refused to provide her name to § 87(2)(b) Allegation (E) Abuse of Authority: Police Officer Kristen Aydiner refused to provide her shield number to § 87(2)(b) Allegation (F) Abuse of Authority: Police Officer Kristen Aydiner failed to provide §87(2)(b) with a business card. testified (**Board Review 02**) that on May 06, 2021, he called 911 to report that children were riding motorized bikes in Challenge Playground. PO Durham and PO Aydiner arrived at the location and drove around the block two times but never spoke to the children. approached the passenger's side of the officers' vehicle and told the officers that the children's behavior was unsafe. PO Aydiner told \$87(2)(b) that the children were only children and did not address \$37(2)(b) s concerns. PO Durham began to drive away, and \$37(2)(b) went to the front of the officers' vehicle and obstructed their path to leave. § 87(2)(b) that he wanted both officers' names, shield numbers, and business cards. Neither officer responded and PO Aydiner rolled up the passenger's side window. PO Durham drove the vehicle in the opposite direction and the officers left the scene. § 87(2)(9) PO Durham testified (Board Review 03) that on May 06, 2021 at approximately 1:45 p.m., she and PO Aydiner responded to a 911 call reporting that \$87(2)(b) had been staring at children in Challenge Playground since approximately 7:00 a.m. that day. Upon arrival, PO Durham determined that \$87(2)(b) was not doing anything illegal and told the children to resume playing before she and PO Aydiner returned to their vehicle. § 87(2)(b) approached the passenger's side of the officers' vehicle and screamed that the officers needed to stop the children from riding their bikes in the park. PO Durham and PO Aydiner told

that the children were playing in the park, which caused §87(2)(b)

to act irate and

yell at the officers, unintentionally spitting on them. PO Aydiner rolled up the passenger's side window part-way to block the spit, and \$87(2)(b) continued to yell and spit at the officers. PO
Durham instructed PO Aydiner to roll up the window fully and decided to leave the scene to avoid
further confrontation with \$87(2)(b) PO Durham began to drive forward, and \$187(2)(b) jumped in front of the vehicle to prevent the officers from leaving. PO Durham did not recall
hearing ser(2)(b) scream once the window was closed because she was flustered and focused
on leaving the location safely. PO Durham drove the car left to try to pass \$87(2)(b) but moved in response and continued to block the vehicle's path. PO Durham drove the
vehicle in reverse and successfully left the scene. PO Durham did not hear \$87(2)(b) ask for
either officer's name, shield number, or business card at any point during the incident. PO Aydiner testified (Board Review 04) that she did not notice \$87(2)(0) until he
stood approximately six inches away from the passenger's side window of the officers' vehicle.
appeared red, tense, and overly excited, and had spit coming out of his mouth that landed
on PO Aydiner's uniform. PO Aydiner rolled up the passenger's side window half-way to block the spit but could still hear what \$87(2)(b) said. PO Aydiner determined that the best course of
action was to leave the scene, as she had seen §87(2)(b) be removed to the hospital on prior
occasions and did not want this incident to escalate any further. PO Aydiner suggested to PO Durham that they leave the location, and PO Durham drove the vehicle in reverse. §87(2)(b)
jumped in front of the vehicle and obstructed the officers from driving forward. PO Aydiner rolled
up her window fully as \$87(2)(b) turned red and continued to scream at the officers. PO Aydiner repeatedly sounded the siren to instruct \$87(2)(b) to move away from the vehicle, but
refused. Due to the siren, PO Aydiner did not hear exactly what § 87(2)(b)
screamed at this point, but it was still in regards to the children's bikes and the officers' lack of response. §87(2)(b) never asked for either officer's name, shield number, or business card
during the incident.
The general facts of the interaction between \$87(2)(b) and the officers are not in dispute. \$87(2)(b) was unsatisfied with the officers' response to his complaint about the
children, yelled at the officers, and obstructed their vehicle from leaving. \$87(2)(9)
Civilian and Officer CCRB Histories
● § 87(2)(b)

§ 87(2)(b) 0 PO Durham has been a member of service for 17 years and has been a subject in three other CCRB complaints and seven other allegations, none of which have been substantiated. PO Aydiner has been a member of service for 19 years and has been a subject in two other CCRB complaints and three other allegations, none of which have been substantiated. **Civil and Criminal Histories** As of July 14, 2021, the New York City Office of the Comptroller has no record of a Notice of Claim being filed in regards this to complaint (Board Review 06). According to the Office of Court Administration (OCA), §87(2)(b) has no history of convictions in New York City (Board Review 07). Squad: 7 Inv. Aliza Klingenstein Inv. Klingenstein _July 26, 2021_ Signature Print Title & Name Date Manager Vanessa Rosen July 29, 2021 Squad Leader: ____

Print Title & Name

Print Title & Name

Signature

Signature

Reviewer:

Date

Date